

FILED

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

SEP - 8 2005

CLERK  
U.S. DISTRICT COURT  
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA

v.

BILLY R. MERCER, JR.

CR. NO.

2:05CR 204-T

[21 USC 841(a)(1);  
18 USC 924(c)(1)]

INDICTMENT

The Grand Jury charges:

COUNT 1

From an unknown date to on or about October 10, 2004, the exact dates being unknown to the Grand Jury, in Prattville, Alabama, in the Middle District of Alabama, and elsewhere,

BILLY R. MERCER, JR.,

defendant herein, did knowingly and intentionally possess with intent to distribute approximately 15 grams of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 2

On or about October 10, 2004, in Prattville, Alabama, in the Middle District of Alabama, and elsewhere,

BILLY R. MERCER, JR.,

defendant herein, did knowingly use and carry during and in relation to, and did knowingly possess in furtherance of a drug trafficking crime as set forth in Count 1 above, which allegation the Grand Jury realleges and incorporates by reference herein, for which the defendant may be prosecuted in a Court of the United States, a firearm,

namely, a Davis Industries .380 caliber pistol, Serial Number AP 392840. All in violation of Title 18, United States Code, Section 924(c)(1).

A TRUE BILL:

  
Foreperson

  
LEURA GARRETT CANARY  
UNITED STATES ATTORNEY

  
JOHN T. HARMON  
Assistant United States Attorney

  
TERRY F. MOORER  
Assistant United States Attorney